

Oct. 15. 2003 9:30AM KCI Legal IP

No. 0932 P. 1

Eric W. Cernyar, P.C.**ATTORNEY AT LAW & REGISTERED PATENT ATTORNEY**

E-mail: ecernyar@satx.rr.com10401 Fox Hollow
San Antonio, TX 78217Telephone: (210) 863-0063
Facsimile: (210) 255-6969**FAX COVER SHEET**

DATE: October 15, 2003
TO: Mail Stop Non-Fee Amendment
FROM: Eric Cernyar, Reg. No. 45,919
RE: 09/488,390
FAX #: 703-872-9314

RECEIVED
CENTRAL FAX CENTER
OCT 15 2003

OFFICIAL

No of pages (including this cover sheet): 14

Re: Applicant: David M. Tumey
Serial No.: 09/488,390
Filed: 1/19/2000
Examiner: Vikkram Bali
Art Unit: 2623
Title: Animated Toy Utilizing Artificial Intelligence
and Facial Image Recognition
Our File No.: TUMEY.001

Enclosed please find:

1. Transmittal Form; and
2. Response to Office Action.

CONFIDENTIALITY NOTE

The documents accompanying this facsimile message contain information intended only for the personal and confidential use of the recipient(s) named above. This message may be an attorney-client communication and/or work product and as such is privileged and confidential. If the reader of this message is not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error and that any review, dissemination, distribution, or copying of this message is strictly prohibited. If you have received this communication in error, please notify us immediately by phone or arrange for return of the documents to us..

Eric W. Cernyar, P.C.

ATTORNEY AT LAW & REGISTERED PATENT ATTORNEY

E-mail: ecernyar@sats.rr.com

10401 Fox Hollow
San Antonio, TX 78217

Telephone: (210) 863-0063
Facsimile: (210) 590-9473

October 15, 2003

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: Applicant: David M. Tumey
 Serial No.: 09/488,390
 Filed: 1/19/2000
 Title: Animated Toy Utilizing Artificial Intelligence and Facial Image
 Recognition
 Our File No.: TUMEY.001

Dear Sir or Madam:

Enclosed please find:

1. Transmittal Form; and
2. Response to Office Action.

Respectfully submitted,



Eric W. Cernyar
Reg. No. 45,919
Attorney for Applicant

PTG/SB/21 (08-03)

Approved for use through 08/30/2003. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/488,390
	Filing Date	1/18/2000
	First Named Inventor	David M. Tumey
	Art Unit	2623
	Examiner Name	Vikram Bai
Total Number of Pages in This Submission	Attorney Docket Number	Tumey.001

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks _____		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Eric W. Cernyar, Reg. No. 45,919
Signature	<i>Eric W. Cernyar</i>
Date	October 15, 2003

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Eric W. Cernyar		
Signature	<i>Eric W. Cernyar</i>	Date	October 15, 2003

This collection of information is required by 37 CFR 1.6. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Oct. 15. 2003 9:31AM

KCI Legal IP

No. 0932 P. 4

2-1A
10-26-03

Appl. No. : 09/488,390
Applicants : David M. Tumey, Tianning Xu
Filed : 01/19/2000
Title : Animated Toy Utilizing Artificial Intelligence and Facial Image
Recognition
Assignee : Intelligent Verification Systems
TC/A.U. : 2623
Examiner : Vikkram Bali
Docket No. : Tumey.001

RECEIVED
CENTRAL FAX CENTER
OCT 15 2003

Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

OFFICIAL

RESPONSE TO JULY 16, 2003, OFFICE ACTION

Sir:

Please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begin on page 2 of this paper.

Remarks/Arguments begin on page 8 of this paper.